



Testimony
before the
House Committee
on
Regulatory Reform

Regarding
--- HB 4730 ---

Wednesday, November 7, 2007

Steven J. Yencich, CAE
President/CEO
Michigan Hotel, Motel & Resort Association

I. **Introduction**
A. Personal Comments

II. **Statistical Support for Passage of HB 4730**

- A. 2005 National Fire Protection Association
1. (Pg. 2) – 61,100 carbon monoxide incidents nationwide
 2. (Pg. 5) – 56,280 incidents occurred in residential settings or 92% of total.
 3. (Pg 5) – 130 CO incidents occurred in hotels, or less than ¼ of one percent.

III. **Carbon Monoxide Detectors are not yet as reliable as Smoke Detectors**

- A. (Pg. 10) – According to the American Gas Research Institute, 90% of Carbon Monoxide calls to utilities and fire departments were false alarms.

IV. **Michigan's Lodging Industry cannot afford such a statistically-unsupported Mandate.**

- A. (Pg. 13) – Florida recently passed legislation similar to the substitute before this committee, but how do the two states compare?
1. Florida's tourism industry employs close to a million residents
Michigan's tourism industry employs fewer than 200,000 people.
 2. The economic impact of Florida tourism is \$65 billion
Michigan tourism industry's impact is \$17 billion.
 3. Michigan's hotels occupancy, (generally regarded as an accurate barometer of overall tourism outcomes), has finished last in the country two years in a row.
 4. Significant number of lodging properties are teetering on the brink of insolvency.

V. **HB 4730 allows an unelected regulator to adopt rules which supersede this legislation if enacted.**

(Pgs 15 – 16)

VI. **Conclusion**

NON-FIRE CARBON MONOXIDE INCIDENTS REPORTED IN 2005

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June 2007



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Abstract

In 2005, municipal fire departments responded to an estimated 61,100 carbon monoxide incidents, excluding incidents where nothing was found or fire was present. A monthly breakdown of the incidents shows that January and December are the peak months. The peak time of day for these incidents is between 6:00 pm and 9:59 pm.

Keywords: carbon monoxide, non-fire

Acknowledgements

The National Fire Protection Association thanks all the fire departments and state fire authorities who participate in the National Fire Incident Reporting System (NFIRS) and the annual NFPA fire experience survey. These firefighters are the original sources of the detailed data that make this analysis possible. Their contributions allow us to estimate the size of the fire problem.

We are also grateful to the U.S. Fire Administration for its work in developing, coordinating, and maintaining NFIRS.

For more information about the National Fire Protection Association, visit www.nfpa.org or call 617-770-3000. To learn more about the One-Stop Data Shop go to www.nfpa.org/osds or call 617-984-7450.

Copies of this analysis are available from:

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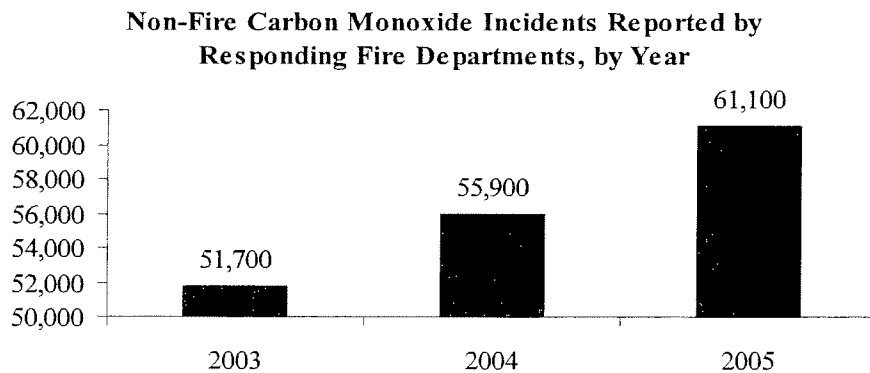
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Non-Fire Carbon Monoxide Incidents Reported in 2005

In 2005, municipal fire departments responded to an estimated 61,100* carbon monoxide incidents, excluding incidents where nothing was found or fire was present. This is a 9% increase from 2004 when fire departments responded to an estimated 55,900* non-fire carbon monoxide incidents, and an 18% increase from 2003, when fire departments responded to an estimated 51,700* non-fire carbon monoxide incidents. (See Figure 1.)

Figure 1.

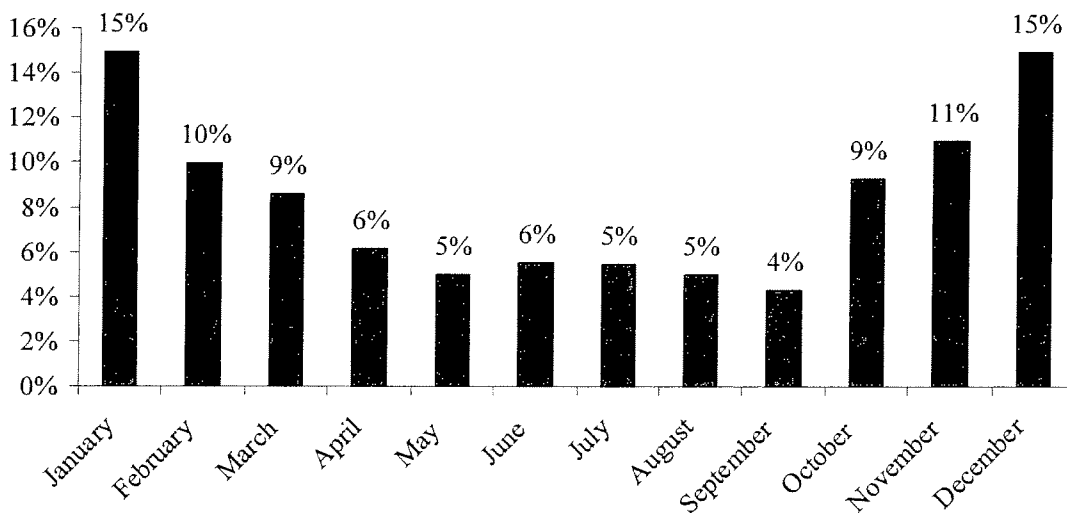


Source: NFIRS and NFPA survey.

A monthly breakdown of non-fire carbon monoxide incidents for 2005 shows that January and December are the peak months for these incidents. (See Figure 2.)

Figure 2.

Non-Fire Carbon Monoxide Incidents Reported by Responding Fire Departments in 2005, by Month



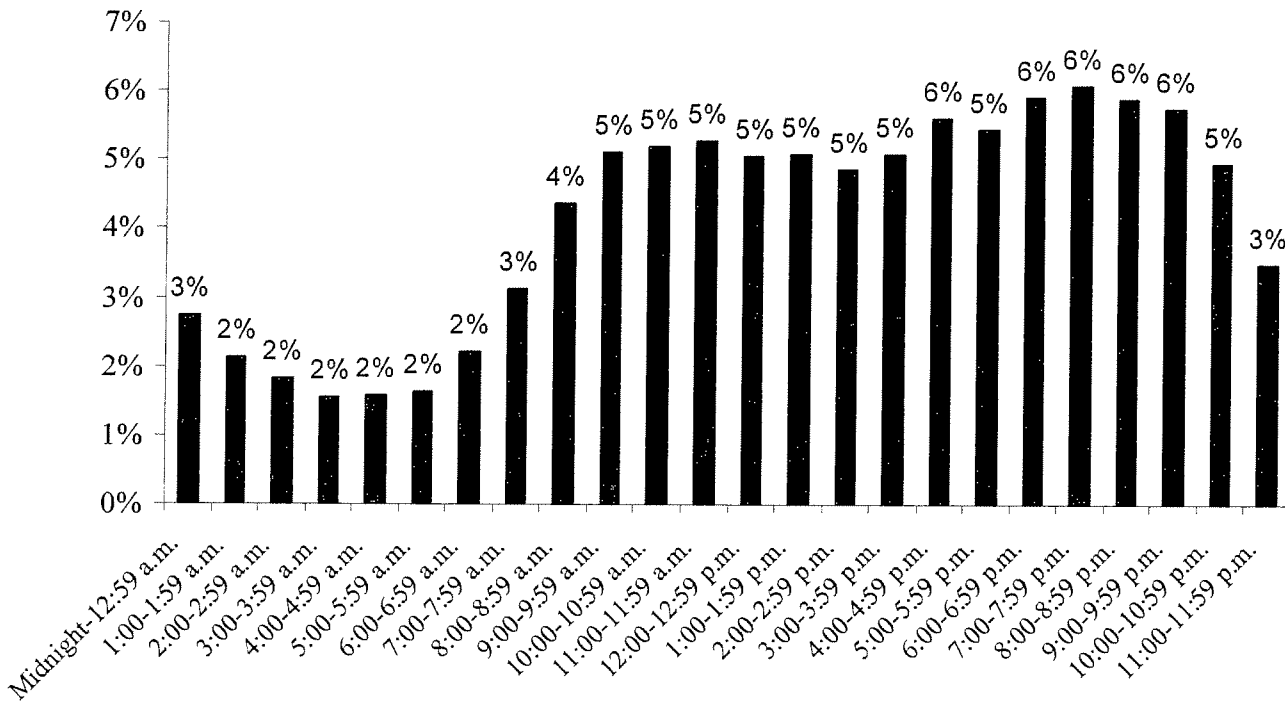
Source: NFIRS and NFPA survey.

* Rounded to the nearest hundred.

The peak time of day for these incidents is between 6:00 p.m. and 9:59 p.m. Overall, 75% of non-fire carbon monoxide incidents are reported between the hours of 9:00 a.m. and 10:59 p.m. (See Figure 3.)

Figure 3.

**Non-Fire Carbon Monoxide Incidents Reported by Responding Fire Departments
in 2005, by Alarm Hour**



Source: NFIRS and NFPA survey.

Almost 9 out of every 10 (89%) reported non-fire carbon monoxide incidents took place in the home. In contrast, homes account for 75% of the structure fires reported that year.¹ Homes include one- or two-family dwellings, manufactured homes, and multifamily dwellings, including apartments, condos, town houses, row houses, and tenements. (See Table 1.)

¹ Michael J. Karter, Jr., *Fire Loss In The United States During 2005*, Quincy, MA: NFPA Fire Analysis and Research Division, September 2006.

Table 1.
Non-Fire Carbon Monoxide Incidents Reported to Fire Departments in 2005,
by Occupancy

Occupancy	Non-Fire Incidents	
Public Assembly	540	(1%)
Fixed use amusement or recreation	30	(0%)
Variable use amusement or recreation	30	(0%)
Place of worship or funeral property	90	(0%)
Club	40	(0%)
Library, museum, courthouse or other public property	80	(0%)
Eating or drinking place	210	(0%)
Passenger terminal	20	(0%)
Studio or Theater	20	(0%)
Unclassified or unknown-type public assembly property	20	(0%)
Educational	260	(0%)
Preschool through grade 12	150	(0%)
Adult education or college classroom	20	(0%)
Day care	70	(0%)
Unclassified or unknown-type public educational property	20	(0%)
Institutional, Including Board and Care	370	(1%)
Nursing home or residential board and care facility	160	(0%)
Mental retardation or substance abuse	60	(0%)
Hospital or hospice	20	(0%)
Clinic or doctor's office	70	(0%)
Prison, jail or police station	40	(0%)
Unclassified institutional property	20	(0%)
Residential, Excluding Board and Care	56,280	(92%)
Home	54,380	(89%)
One- or two-family dwelling	44,130	(72%)
Apartment or multi-family dwelling	10,250	(17%)
Other Residential	1,890	(3%)
Rooming or boarding house, residential hotel, or shelter	80	(0%)
Hotel or motel	130	(0%)
Dormitory, fraternity, sorority or barracks	110	(0%)
Unclassified or unknown-type residential	1,580	(3%)

130 CO. INCIDENTS IN HOTELS - OUT OF 56,280 NATIONWIDE

$$130 \div 56,280 = 0.23\% = \text{LESS THAN } \frac{1}{4} \text{ OF ONE PERCENT}$$

Table 1.
Non-Fire Carbon Monoxide Incidents Reported to Fire Departments in 2005,
by Occupancy
(Continued)

Occupancy	Non-Fire Incidents	
Mercantile and office	1,180	(2%)
Grocery or convenience store	190	(0%)
Textile or apparel sales	40	(0%)
Household goods sales or repairs	40	(0%)
Specialty shop	90	(0%)
Personal service, recreation or home repair	90	(0%)
Laundry, dry cleaning or professional supplies or services	100	(0%)
Service station or vehicle sales, service or repair	90	(0%)
Department store or unclassified general retail	90	(0%)
Office, bank or mail facility	300	(0%)
Unclassified or unknown-type mercantile or business	160	(0%)
Utility, Defense, Agriculture or Mining	50	(0%)
Energy production plant	10	(0%)
Laboratory	10	(0%)
Defense, computer or communications center	10	(0%)
Utility or distribution system	10	(0%)
Agriculture	10	(0%)
Mine or quarry	0	(0%)
Unclassified or unknown-type utility, defense, agriculture or mining	10	(0%)
Manufacturing or Processing	180	(0%)
Storage	190	(0%)
Refrigerated storage	0	(0%)
Vehicle storage, garage or fire station	60	(0%)
Warehouse, residential or self-storage	110	(0%)
Unclassified or unknown-type storage property, including outbuildings, sheds, outside material storage areas	20	(0%)
Special Property	210	(0%)
Dump or sanitary landfill	0	(0%)
Bridge, tunnel or outbuilding	0	(0%)
Open land, beach or campsite	20	(0%)
Water area	0	(0%)
Railroad area	0	(0%)
Highway, street or parking area	140	(0%)
Aircraft area	0	(0%)
Construction site, oil or gas field, pipeline or industrial plant yard	20	(0%)
Unclassified or unknown-type special property	20	(0%)

Table 1.
Non-Fire Carbon Monoxide Incidents Reported to Fire Departments in 2005,
by Occupancy
(Continued)

Occupancy	Non-Fire Incidents	
Completely Unclassified, Unreported or Unknown-Type Property Use	1,840	(3%)
Total	61,100	(100%)

Note: These are national estimates of non-fire incidents reported to U.S. municipal fire departments and so exclude incidents reported only to Federal or state agencies or industrial fire brigades. These national estimates are projections based on the detailed information collected in Version 5.0 of NFIRS. Incidents are rounded to the nearest ten. Totals may not equal sums due to rounding errors.

Source: NFIRS and NFPA survey.

Appendix A.

How National Estimates Statistics Are Calculated

The statistics in this analysis are estimates derived from the U.S. Fire Administration's (USFA's) National Fire Incident Reporting System (NFIRS) and the National Fire Protection Association's (NFPA's) annual survey of U.S. fire departments. NFIRS is a voluntary system by which participating fire departments report detailed factors about the incidents to which they respond. Roughly two-thirds of U.S. fire departments participate, although not all of these departments provide data every year.

NFPA conducts an annual stratified random sample survey of fire departments which enables us to capture a summary of fire department experience on a larger scale. The NFPA survey is based on a stratified random sample of roughly 3,000 U.S. fire departments (or just over one of every ten fire departments in the country). The survey includes the following information: (1) the total number of incidents, civilian deaths, and civilian injuries, and the total estimated property damage (in dollars), for each of the major property use classes defined by the NFPA 901 Standard; (2) the number of on-duty firefighter injuries, by type of duty and nature of illness; and (3) information on the type of community protected (e.g., county versus township versus city) and the size of the population protected, which is used in the statistical formula for projecting national totals from sample results.

The NFPA survey begins with the NFPA Fire Service Inventory, a computerized file of about 30,000 U.S. fire departments. The survey is stratified by size of population protected to reduce the uncertainty of the final estimate. Small rural communities protect fewer people per department and are less likely to respond to the survey, so a large number must be surveyed to obtain an adequate sample of those departments. (NFPA also makes follow-up calls to a sample of the smaller fire departments that do not respond, to confirm that those that did respond are truly representative of fire departments their size.) On the other hand, large city departments are so few in number and protect such a large proportion of the total U.S. population that it makes sense to survey all of them. Most respond, resulting in excellent precision for their part of the final estimate. The results of the survey are published in the annual report *Fire Loss in the United States*. To download a free copy of the report visit <http://www.nfpa.org/assets/files/PDF/OS.fireloss.pdf>.

Projecting NFIRS to National Estimates

As noted, NFIRS is a voluntary system. Different states and jurisdictions have different reporting requirements and practices. Participation rates in NFIRS are not necessarily uniform across regions and community sizes, both factors correlated with frequency and severity of the incident. This means NFIRS may be susceptible to systematic biases. No one at present can quantify the size of these deviations from the ideal, representative sample, so no one can say with confidence that they are or are not serious problems. But there is enough reason for concern so that a second database - the NFPA survey - is needed to project NFIRS to national estimates and to project different parts of NFIRS

separately. This multiple calibration approach makes use of the annual NFPA survey where its statistical design advantages are strongest.

Carbon monoxide incidents are reported to the U.S. Fire Administration's (USFA) National Fire Incident Reporting System (NFIRS) as basic incident code 424: Carbon monoxide incident, excluding incidents with nothing found. Only incidents reported to municipal fire departments are included in this statistic, which is derived from the NFIRS basic incident database and NFPA's 2005 fire department experience survey.

Since NFIRS is not a census of incidents, the 2005 NFIRS Version 5.0 percentage for non-fire carbon monoxide incidents is multiplied by the hazardous material total from the NFPA survey. This calculation yields the non-fire carbon monoxide incident national estimate.

It is important to note that these incidents are strictly non-fire incidents reported to fire departments. In other words, any non-fire carbon monoxide incident reported to another entity, such as the heating company, is not included in the statistics.



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Carbon Monoxide Detector Standards Tightened

(HIT) - An increasing number of false alarms triggered by household carbon monoxide detectors have imposed significant burdens on emergency response personnel in recent years. In most (90 percent) of the carbon monoxide calls reported to utilities and fire departments, no carbon monoxide or carbon monoxide levels too low to affect the average person were found, according to the American Gas Association (AGA) and the Gas Research Institute, which conducted the study.

In response, a respected laboratory that certifies natural gas appliances—International Approval Service, formerly the AGA Laboratories—tightened its standards for testing and certifying new carbon monoxide detectors. Before these carbon monoxide detectors can bear the AGA Blue Star seal, they must meet several new requirements.

New IAS-certified carbon monoxide detectors will not sound if the level of CO detected is only at a "nuisance" level, which can be caused by a car starting up in an attached garage or by elevated outdoor levels of CO. In addition, instructions will clearly tell consumers who hear an alarm to evacuate the premises and call an emergency response unit. These improvements to carbon monoxide detectors should raise consumers' confidence in the reliability of carbon monoxide alarms and prevent human and economic resources from being wasted on false alarms, the testing facility believes.

According to National Safety Council statistics, consumers are more likely to die from a falling object, drowning in a bathtub or inhaling or ingesting food than from CO poisoning. Nonetheless, AGA emphasizes that consumers should help prevent CO incidents in the home by ensuring that home appliances and equipment are installed, maintained and used properly. An annual inspection of heating equipment and venting by a qualified technician is recommended, AGA says, with installation of a carbon monoxide detector as an additional safeguard.

Courtesy: [Home Improvement News and Information Center](http://www.homeimprovementtime.com/idea_file/carbon_monoxide_detector.asp)

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Carbon Monoxide Detector

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Q. How many visitors came to Florida last year? In 2006, estimates show Florida received a record-breaking 83.9 million visitors (not including residents). This was a 0.3% increase over 2005.

Q. Do most visitors come to Florida by car or plane? The air/non-air split for all visitors in 2006 was even (50.8%/49.2%).

Q. How many cruise passengers come through Florida? Between October 2005 and September 2006, a total of 14.1 million people took cruises out of one of the seven seaports in Florida.

Q. How many international visitors come to Florida? In 2006, 6.2 million visitors came to Florida from Canadian and overseas markets. Overseas travel to Florida decreased 6.0% in 2006 over 2005 and accounted for 4.9% of total visitors to the state. Canadian visitation was up 3.3% from 2006 and accounted for 2.5% of total visitors to the state.

Q. How many domestic visitors choose Florida as a destination? Final domestic travel to Florida was up 0.6% in 2006 at 77.6 million people. Domestic visitors represented 92.6% of the total visitors to the state.

Q. What states do domestic visitors to Florida come from? The top origin states for domestic visitors to Florida in 2006 were New York (11.6%), Georgia (11.1%) and Illinois (5.6%).

Q. What countries do international travelers to Florida come from? The top origin countries to Florida in 2006 were Canada (2.1 million), the United Kingdom (1.3 million), South America (the combined countries of Argentina, Brazil, Colombia & Venezuela totaled 883,000), and Germany (206,000).

Q. What activities do Florida visitors participate in the most? The most popular activities for domestic visitors in 2006 were shopping (30.7%), beach/waterfront activities (25.7%), and going to a theme/amusement park (22.9%). Overseas visitors cited shopping (91.0%), dining in restaurants (84.5%) and amusement and theme parks (57.5%) as the most popular activities while in Florida.

**MICH. TOURISM INDUSTRY
EMPLOYS JUST UNDER
200,000**

**MICH. TOURISM
ECONOMIC IMPACT
\$17 BILLION**

**MICH. 2006 HOTEL
OCCUPANCY 53.9%
WORST IN THE
COUNTRY FOR THE
SECOND CONSECUTIVE
YEAR.**

Q. How many people are employed in tourism in Florida? A total of 964,700 people were directly employed in travel-related jobs during 2006, an increase of 1.5% over the previous year. For more information on Florida employment figures, visit the Florida Agency for Workforce Innovation website (www.floridajobs.org).

Q. How do you define the economic impact of tourism? The Florida Department of Revenue, Office of Tax Research, has a defined set of 12 variables that are used by VISIT FLORIDA to calculate the economic impact. These sales categories are extracted from the data on all taxable sales and are considered the portion of taxable sales which are most influenced by tourism. For 2006 it was \$65 billion.

Q. What is the hotel occupancy in Florida? In 2006 the statewide average hotel/motel occupancy rate was 65.8%. This is a decrease of less than 3.2 percentage points from 2005. Source: Smith Travel Research.

Q. What is the average daily room rate in Florida? In 2006 the average daily room rate was \$109.59, up from \$100.68 in 2005. Source: Smith Travel Research.

Q. How many hotel rooms are in Florida? As of March 2007 there were 369,276 hotel and motel rooms in Florida spread over 4,154 properties. For more information contact the Florida Department of Business and Professional Regulation who track these statistics (www.myflorida.com/dbpr).

Q. What is a bed tax? Counties may levy a tourist development tax or "bed tax" as a percent of the total charge (rate varies depending on county) for the lease or rental of living accommodations in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, roominghouse, recreational vehicle park, mobile home park or condominium for a term of six months or less. The Florida Department of Revenue, Office of Tax Research computes this tax (www.myflorida.com/dor).

Q. What is Florida's population? The U.S. Census estimated Florida's population for the year 2006 as 18.1 million people, a 13.2 percent growth rate from 2000. For more information visit the U.S. Census Bureau's website at www.census.gov.

Q. How many people move to Florida each year? VISIT FLORIDA does not track how many people relocate to the state each year, but the U.S. Census Bureau does and refers to it as "Domestic Migration" (www.census.gov).

Q. How many "snowbirds" does Florida have? Since many seasonal residents ("snowbirds") own homes and are part-time residents of the state, they are not tracked by VISIT FLORIDA. For free reports by the University of Florida on seasonal residents go to their website (www.bebr.ufl.edu) and search for "snowbirds."

Q. How many nature parks are in Florida? There are 158 state parks and 33 state forests (www.floridastateparks.org). There are also 11 national parks, preserves, seashores or monuments and 4 national forests (www.us-national-parks.net). For additional information check the websites listed above.

Q. I am looking for data for a specific city or county of the state. Where do I find this? VISIT FLORIDA tracks information for the entire state and by eight geographic vacation regions. We do not keep data on specific cities or counties. This information can best be obtained from the local Convention and Visitors Bureau (CVB). Contact the Florida Association of Convention and Visitors Bureaus at www.FACVB.org to find the local CVB in your area of interest.

Q. I am researching information to start a business in Florida. Where do I find business information about the state? Please contact Enterprise Florida which is the public-private partnership responsible for leading Florida's statewide economic development efforts. EFI was formed in July 1996, when Florida became the first state in the nation to replace its Commerce Department with a public-private organization that's responsible for

**MICH.
\$79.24**

13

Traffic Safety Facts

Pedestrians



DOT HS 810 624

A pedestrian is defined as any person not in or upon a motor vehicle or other vehicle.

In 2005, 4,881 pedestrians were killed in traffic crashes in the United States — a decrease of 13 percent from the 5,584 pedestrians killed in 1995.

On average, a pedestrian is killed in a traffic crash every 108 minutes and injured in a traffic crash every 8 minutes.

There were 64,000 pedestrians injured in traffic crashes in 2005.

Most pedestrian fatalities in 2005 occurred in urban areas (74%), at non-intersection locations (80%), in normal weather conditions (89%), and at night (67%).

More than two-thirds (70%) of the pedestrians killed in 2005 were males. In 2005, the male pedestrian fatality rate per 100,000 population was 2.35 — more than triple the rate for females (0.96 per 100,000 population). In 2005, the male pedestrian injury rate per 100,000 population was 26, compared with 17 for females (see Table 5).

"In 2005, 4,881 pedestrians died in traffic crashes — a 13-percent decrease from the number reported in 1995."

Figure 1
Total Pedestrian Fatalities by Year 1995-2005



SUBSTITUTE FOR
HOUSE BILL NO. 4730

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
(MCL 125.1501 to 125.1531) by adding section 4d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4D. (1) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THE
2 RULES PROMULGATED UNDER SUBSECTION (2), THE OWNER OR OPERATOR OF
3 RESIDENTIAL OCCUPANCIES WHERE THE OCCUPANTS ARE PRIMARILY TRANSIENT
4 IN NATURE, INCLUDING, BUT NOT LIMITED TO, BOARDING HOUSES, HOTELS,
5 AND MOTELS, SHALL INSTALL 1 OR MORE CARBON MONOXIDE DETECTORS IN
6 EACH DWELLING UNIT OR SLEEPING ROOM, AS PROVIDED IN THOSE RULES.

7 (2) THE DIRECTOR SHALL PROMULGATE RULES THAT ESTABLISH
8 STANDARDS AND REQUIREMENTS FOR THE INSTALLATION OF CARBON MONOXIDE
9 DETECTORS AS REQUIRED UNDER SUBSECTION (1).

10 (3) BEGINNING THE CODE CYCLE AFTER THE EFFECTIVE DATE OF THE



1 RULES PROMULGATED UNDER SUBSECTION (2), THE DIRECTOR SHALL INCLUDE
2 IN THE CODE PROVISIONS REQUIRING THE INSTALLATION OF CARBON
3 MONOXIDE DETECTORS. UNDER SUCH CIRCUMSTANCES, THE PROVISIONS IN THE
4 CODE SHALL SUPERSEDE THIS SECTION.

